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10/510,152	10/05/2004	Kia Silverbrook	YU175NPUS	6673
24011	7590	03/10/2009	EXAMINER	
SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			AL HASHIMI, SARAH	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,3,5-6,10 are rejected under 35 U.S.C. 102(b) as being anticipated by Silverbrook (US 6,214,244).

Silverbrook teaches:

Claim 1: a substrate (col 4 lines 24-25 "an ink jet printhead wherein an array of nozzles are formed on a substrate"); and

a plurality of nozzle arrangements that is positioned on the substrate, each nozzle arrangement comprising a nozzle chamber structure that is positioned on the substrate and that defines a nozzle chamber having an ink ejection port from which ink is to be ejected (fig 20 #11);

an ink-ejecting mechanism that is operatively arranged with respect to the nozzle chamber structure, the ink-ejecting mechanism including at least one piston that is displaceable to generate a pressure pulse within the nozzle chamber to eject ink from the ink ejection port (fig 1 #9);

an actuator that is positioned on the substrate and that has at least one working member that is of a material having a coefficient of thermal expansion such that the, or each, working member is capable of substantially rectilinear expansion and

Art Unit: 2853

contraction relative to the substrate when heated and subsequently cooled (col 6 lines 15-16 "a lever arm 17 that extends from the moveable soft magnetic plate 5 has a piston 9 on an end thereof"); and

an energy transmitting means that interconnects the, or each, moving component and the, or each, working member so that energy generated by the, or each, working member as a result of expansion and subsequent contraction of the, or each, working member is transmitted to the, or each, piston resulting in displacement of the, or each, piston and generation of said pressure pulse (fig 1 #16,19),

wherein, in each nozzle arrangement, the ink ejection port is arranged in the nozzle chamber so as to be adjacent a distal end portion of the piston with respect to the working member and energy transmitting means (fig 20 #13).

Claim 3: the substrate includes a silicon wafer substrate and a CMOS drive circuitry layer positioned on the silicon wafer substrate (col 4 lines 26-28 "multiple ink jet nozzles are formed simultaneously on a single planar substrate such as a silicon wafer" and col 4 line 33).

Claim 5: each nozzle chamber structure includes nozzle chamber walls, and a roof positioned on the nozzle chamber walls, the roof defining the ink ejection port from which ink is ejected upon generation of said pressure pulse (fig 20 #11).

Claim 6: each ink-ejecting mechanism includes one moving component in the form of an ink-ejecting member that is positioned in the nozzle chamber and is displaceable towards and away from the roof to generate said pressure pulse (fig 1 #9).

Claim 10: an inkjet printhead (abs).

Response to Arguments

3. Applicant's arguments with respect to claims 1,3,5-6,10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sarah Al-Hashimi whose telephone number is 571 272 7159. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on 571 272 2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2853

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/SA/

/Stephen D Meier/
Supervisory Patent Examiner, Art Unit 2853